



City of NORFOLK

C: Dir., Department of Planning and Community Development

To the Honorable Council
City of Norfolk, Virginia

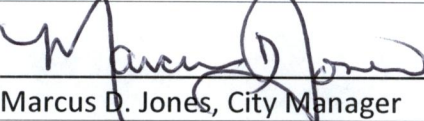
May 13, 2014

From: George M. Homewood, AICP CFM, Planning Director

Subject: **Street Closure of a portion of the western side of Atlantic Street south of Waterside Drive**

Reviewed:  Ward/Superward: 2/6

Ronald H. Williams, Jr., Assistant City
Manager

Approved: 
Marcus D. Jones, City Manager

Item Number:

PH-1

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Street Closure of a portion of the western side of Atlantic Street south of Waterside Drive containing 0.129 acre of land.
- IV. **Applicant:** City of Norfolk
- V. **Description**
 - The right -of-way to be closed is located in Downtown Norfolk which is developed with a variety of office, commercial and residential uses.
 - The right-of-way will be combined with the adjoining property as part of the Waterside revitalization.
 - Easements satisfactory to Virginia Natural Gas and the Norfolk Departments of Public Works and Utilities will be reserved.
- VI. Staff point of contact Jeff Raliski at 664-4766, jeff.raliski@norfolk.gov

Attachments:

- Proponents and Opponents
- Ordinance
- Staff Reports to CPC dated October 24, 2013 with attachments

Proponents and Opponents

Proponents

None

Opponents

None




City of NORFOLK

To City Planning Commission
City of Norfolk, Virginia

October 24, 2013

From:  Jeffrey K. Raliski, AICP,
Long Range Planning Manager

Subject: The closing, vacating and discontinuing a portion of the western side of Atlantic Street south of Waterside Drive containing 0.129 acre of land.

Reviewed: George M. Homewood, AICP, 
Assistant Planning Director

Ward/Superward: 2/6

Approved: 
Frank M. Duke, AICP,
Planning Director

Item Number: 1a

- I. **Recommendation:** Staff recommends approval.
- II. **Applicant:** City of Norfolk on behalf of Norfolk District Associates, LLC
- III. **Description:**
This agenda item is to close a portion of the western side of Atlantic Street south of Waterside Drive containing 0.129 acre of land.
- IV. **Analysis**
 - The right-of-way to be closed is located in Downtown Norfolk which is developed with a variety of office, commercial and residential uses.
 - The right-of-way will be combined with the adjoining property as part of the Waterside revitalization.
 - Easements satisfactory to Virginia Natural Gas and the Norfolk Departments of Public Works and Utilities will be reserved.
- V. **Financial Impact**
This property, if closed, will convey at no cost to the Norfolk Redevelopment and Housing Authority.
- VI. **Environmental**
Closure of this unimproved right-of-way will not create additional traffic in adjacent neighborhoods.

VII. Community Outreach/Notification

- Letter was mailed to the Downtown Norfolk Civic League President on October 1.
- Notice was sent to the civic leagues by the Department of Communications on October 9.
- Letters were mailed to all property owners within 300 feet of the property on October 9.
- Legal notification was placed in *The Virginian-Pilot* on October 10 and 17.

VIII. Coordination/Outreach

This letter has been coordinated with the Department of Planning and Community Development, Department of Public Works and the City Attorney's Office.

Supporting Material from the Department of Planning and Community Development:

- Ordinance
- Location Map
- Zoning Map
- Letter to the Civic League

Form and Correctness Approved:

By Nathaniel Seaman
Office of the City Attorney

Contents Approved:

By [Signature]
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE CLOSING, VACATING AND DISCONTINUING A PORTION OF THE WESTERN SIDE OF ATLANTIC STREET SOUTH OF WATERSIDE DRIVE, AND AUTHORIZING THE CONVEYANCE TO THE ABUTTING PROPERTY OWNER, NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY, OF ANY INTEREST THE CITY MAY HAVE IN THE UNDERLYING FEE OF SAID PORTION OF ATLANTIC STREET.

- - -

WHEREAS, pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, the City Council has the authority to close, vacate and discontinue public rights of way; and

WHEREAS, the City of Norfolk ("City") has received an application, for the closure of a portion of the western side of Atlantic Street south of Waterside Drive, as described in Exhibit A and shown on Exhibit B, both of which are attached to and made a part of this ordinance; and

WHEREAS, after a public hearing, the City Planning Commission recommended that the said portion of Atlantic Street be closed, vacated and discontinued; and

WHEREAS, the City has water and sewer facilities located in the right of way and an easement, satisfactory to the Director of the Department of Utilities, has been provided to

the City by the abutting property owner, Norfolk Redevelopment and Housing Authority ("NRHA"); and

WHEREAS, the City has drainage facilities in the right of way and an easement, satisfactory to the Director of the Department of Public Works, has been provided to the City by the abutting property owner, NRHA; and

WHEREAS, Virginia Natural Gas has facilities located in the right of way and has confirmed that satisfactory arrangements have been made with respect to such facilities; and

WHEREAS, the requirements of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Sections 42-212 and 42-213 of the Norfolk City Code, 1979, which relate to the vacation of public rights of way, have been met; and

WHEREAS, NRHA as a political subdivision of the Commonwealth of Virginia should not be required to pay any compensation to the City for the closure of the said portion of Atlantic Street, and therefore any such requirement for compensation set forth in Section 42-212 of the Norfolk City Code should be waived; and

WHEREAS, it is the judgment of the Council that the said portion of Atlantic Street is not needed for public use and travel and should be closed, vacated and discontinued as a public street of the City of Norfolk; now therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the portion of Atlantic Street, as described in Exhibit A and shown on Exhibit B, both of which are attached hereto, is hereby closed, vacated and discontinued as a public street of the City of Norfolk.

Section 2:- That after its effective date, a certified copy of this ordinance shall be recorded in the Clerk's Office of the Circuit Court of the City of Norfolk as deeds are recorded and indexed.

Section 3:- That it is the intent of the Council that any interest the City may have in the underlying fee of said portion of Atlantic Street shall transfer to the abutting property owner, NRHA, and the proper officers of the City are authorized to do all things necessary, including the delivery of a quitclaim deed or deeds, in form satisfactory to the City Attorney, to effect the transfer to NRHA of any interest the City may have in the underlying fee of the said portion of Atlantic Street, without compensation to the City.

Section 4:- That this ordinance shall be in effect from and after thirty (30) days from the date of its adoption.

EXHIBIT A

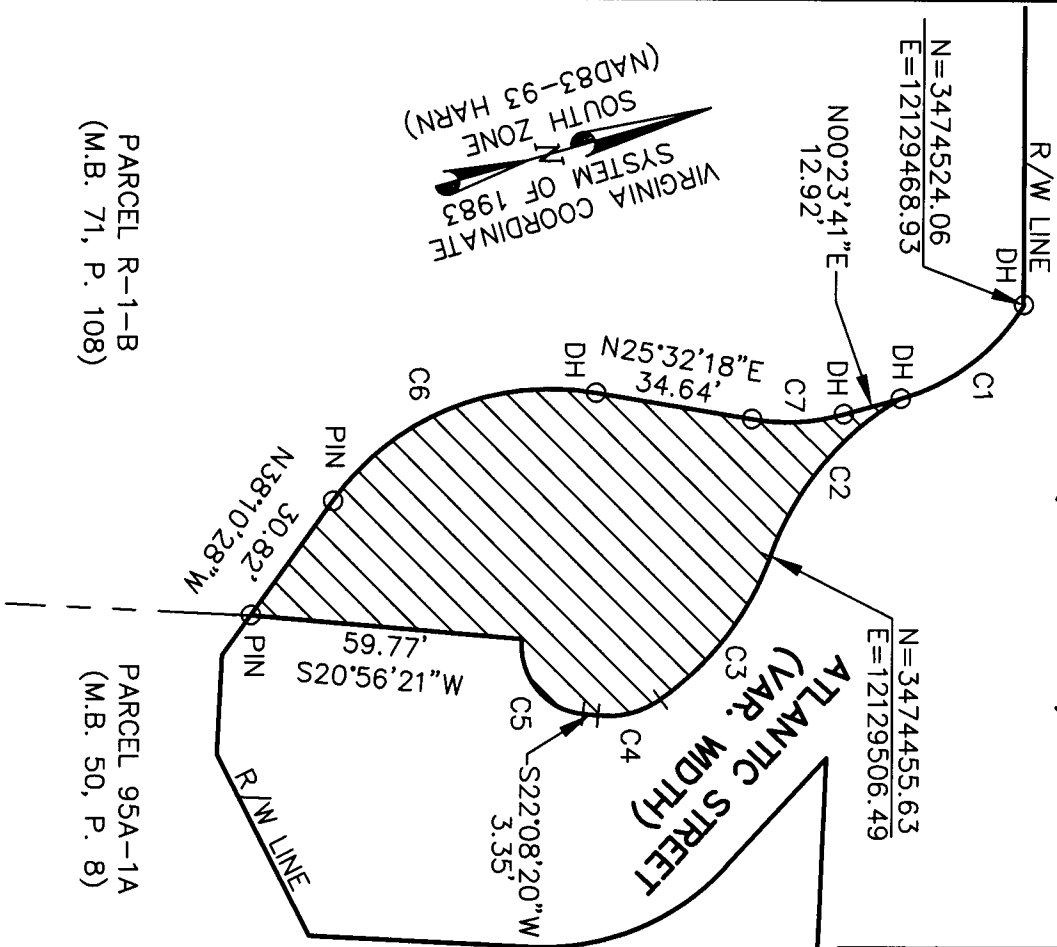
Closure of a Portion of Atlantic Street South of Waterside Drive

An irregular-shaped lot, piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, said parcel being a portion of Atlantic Street to be closed and being further described as follows: COMMENCING at a point that is the intersection of the western line of Atlantic Street and the southern line of Waterside Drive, said point being shown on a plat entitled, "Amended Resubdivision of Parcels R-1-B and R-2-B and R-3-C at the Waterside," said plat being duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia, in Map Book 71 at Page 108; thence, from the point of commencement thus described, 34.83 feet, more or less, along the arc of a curve to the right, the radius of which is 46.00 feet, with a chord distance of 34.00 feet, more or less, and a chord bearing of S 21°-17'-41" E, to the point of BEGINNING; thence, from the point of beginning thus described, the following six courses and distances across the right-of-way of Atlantic Street: 45.46 feet, more or less, along the arc of a curve to the left, the radius of which is 66.00 feet, with a chord distance of 44.57 feet, more or less, and a chord bearing of S 34°-27'-09" E to a point of reverse curvature; thence, 40.15 feet, more or less, along the arc of a curve to the right, the radius of which is 66.00 feet, with a chord distance of 39.53 feet, more or less, and a chord bearing of S 36°-45'-28" E to a point of compound curvature; thence, 14.48 feet, more or less, along the arc of a curve to the right, the radius of which is 20.00 feet, with a chord distance of 14.16 feet, more or less, and a chord bearing of S 1°-24'-15" W to a point; thence, S 22°-08'-20" W, 3.35 feet, more or less, to a point of curvature; thence, 23.50 feet, more or less, along the arc of a curve to the right, the radius of which is 15.00 feet, with a chord distance of 21.17 feet, more or less, and a chord bearing of S 67°-01'-28" W to a point; thence, S 20°-56'-21" W, 59.77 feet, more or less, to a point on the western line of Atlantic Street; thence, the following five courses and distances along said western line of Atlantic Street: N 38°-10'-28" W, 30.82 feet, more or less, to a point of curvature; thence, 65.57 feet, more or less, along the arc of a curve to the right, the radius of which is 59.00 feet, with a chord distance of 62.25 feet, more or less, and a chord bearing of N 6°-20'-02" W to a point; thence, N 25°-32'-18" E, 34.64 feet, more or less, to a point of curvature; thence, 20.16 feet, more or less, along the arc of a curve to the left, the radius of which is 46.00 feet, with a chord distance of 20.00 feet, more or less, and a chord bearing of N 12°-57'-02" E to a point; thence, N 00°-23'-41" E, 12.92 feet, more or less, to the point of beginning, all as shown on an exhibit entitled, "Exhibit Showing Portion of Atlantic Street to be Closed and Portion of Atlantic Street Utility and Drainage Easements," being prepared by the Division of Surveys in the Department of Public Works in the City of Norfolk, Virginia.

The above-described parcel contains 0.129 acre of land, more or less.

March 11, 2014

WATERSIDE DRIVE (VAR. WIDTH)



CURVE TABLE

| NO. | RADIUS | DELTA | ARC | TAN. | CHORD | CH. BEARING |
|-----|--------|-----------|--------|--------|--------|-------------|
| C1 | 46.00' | 43°22'39" | 34.83' | 18.30' | 34.00' | S21°17'41"E |
| C2 | 66.00' | 39°27'53" | 45.46' | 23.67' | 44.57' | S34°27'09"E |
| C3 | 66.00' | 34°51'15" | 40.15' | 20.72' | 39.53' | S36°45'28"E |
| C4 | 20.00' | 41°28'10" | 14.48' | 7.57' | 14.16' | S01°24'15"W |
| C5 | 15.00' | 89°46'16" | 23.50' | 14.94' | 21.17' | S67°01'28"W |
| C6 | 59.00' | 63°40'45" | 65.57' | 36.64' | 62.25' | N06°20'02"W |
| C7 | 46.00' | 25°06'42" | 20.16' | 10.25' | 20.00' | N12°57'02"E |

NOTES:

1. AREA OF ATLANTIC STREET TO BE CLOSED = 5,631 SQUARE FEET OR 0.129 ACRE.
2. AREA OF UTILITY AND DRAINAGE EASEMENT = 5,631 SQUARE FEET OR 0.129 ACRE.



DENOTES PORTION OF ATLANTIC STREET TO BE CLOSED.



DENOTES AREA OF UTILITY AND DRAINAGE EASEMENT.

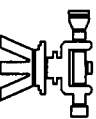
EXHIBIT SHOWING PORTION OF ATLANTIC STREET
TO BE CLOSED AND PORTION OF ATLANTIC
STREET UTILITY AND DRAINAGE EASEMENTS
NORFOLK, VIRGINIA



DRAWING SCALE 1"=40' 140035

| DATE | SCALE | DRAWN BY | CHECKED BY |
|------------|--------|----------|------------|
| 03-11-2014 | 1"=40' | MJO | CLC/JTW |

DIVISION OF SURVEYS
DEPARTMENT OF PUBLIC WORKS
NORFOLK, VIRGINIA



Location Map

WATERSIDE DRIVE

WATERSIDE DRIVE

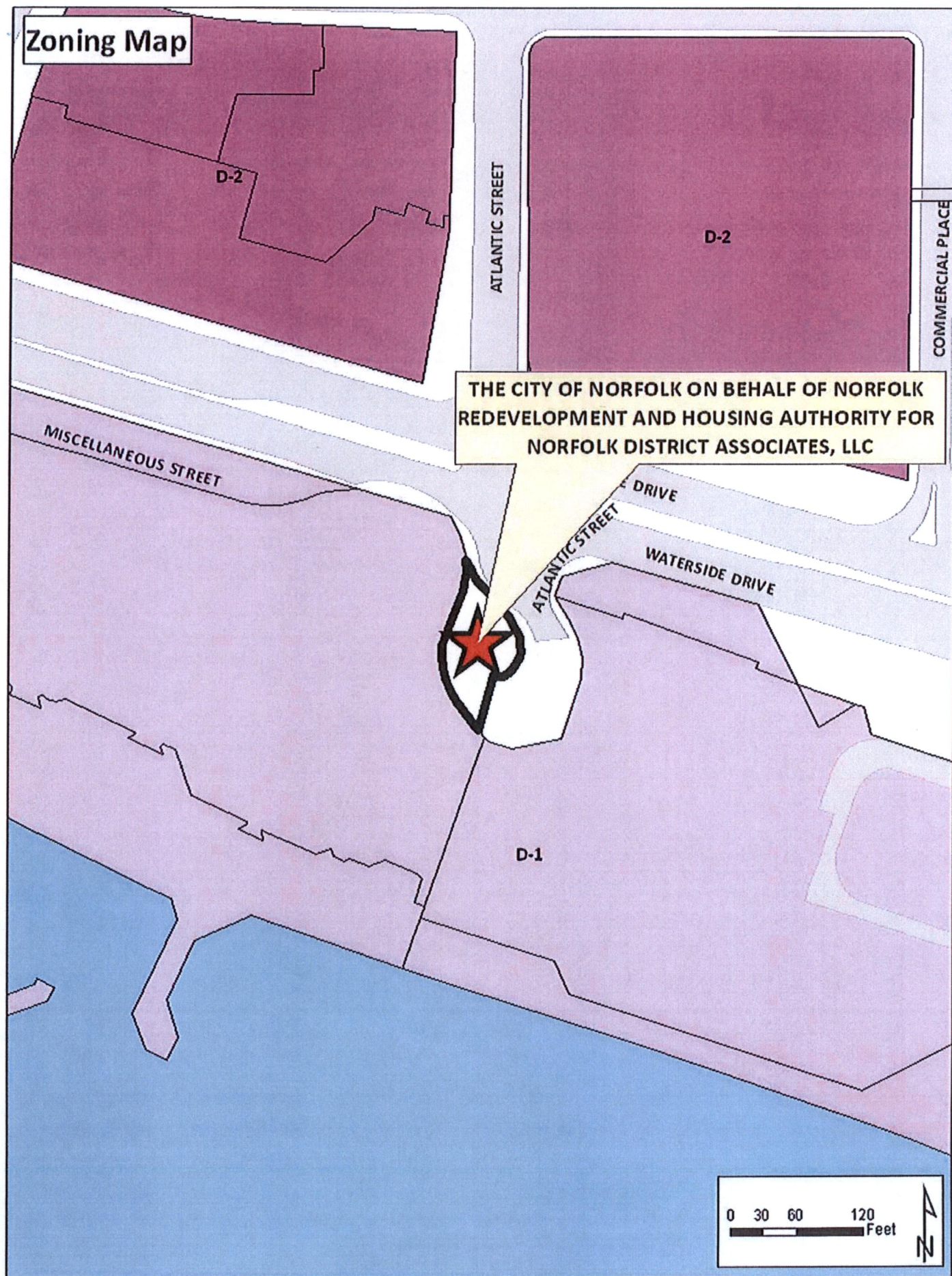
THE CITY OF NORFOLK ON BEHALF OF NORFOLK
REDEVELOPMENT AND HOUSING AUTHORITY FOR
NORFOLK DISTRICT ASSOCIATES, LLC



0 5 10 20
Feet



Zoning Map





October 2, 2013

Mr. Kevin R. Murphy
President, Downtown Norfolk Civic League
PO Box 3655
Norfolk, VA 23514-3655

Dear Mr. Murphy:

The Planning Department has received an application from City of Norfolk to close, vacate and discontinue a portion of Atlantic Street. This item is tentatively scheduled for the October 24, 2013 City Planning Commission public hearing.

If you would like additional information on the request, you may contact Jeff Raliski in the Planning Department at (757) 664-4766. A copy of the complete application is enclosed.

Sincerely,

A handwritten signature in blue ink that reads "G. Homewood" followed by a circled set of initials "GHE".

George M. Homewood, AICP, CFM
Assistant Planning Director

DRAFT

AN ORDINANCE CLOSING, VACATING AND DISCONTINUING A PORTION OF THE WESTERN SIDE OF ATLANTIC STREET SOUTH OF WATERSIDE DRIVE, AND AUTHORIZING THE CONVEYANCE TO THE ABUTTING PROPERTY OWNER, NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY, OF ANY INTEREST THE CITY MAY HAVE IN THE UNDERLYING FEE OF SAID PORTION OF ATLANTIC STREET.

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**Closure of a Portion of
Atlantic Street
South of Waterside Drive
For Council**

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The above-described parcel contains 0.129 acre of land, more or less.

July 30, 2013

EXHIBIT B

WATERSIDE DRIVE (VAR. WIDTH)

N=3474524.06

E=12129468.93

